

AUG 18 2008

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *[Signature]* DEPUTYUNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Mayra Alejandra ZEPEDA

AKA: None Known

095734550

YOB: 1985

Citizen of the United States

Defendant

Magistrate Case No. 08-16030-M-SD

COMPLAINT FOR VIOLATION OF

Title 8, United States Code, Section

1324(a)(1)(A)(ii)

Transportation of Illegal Aliens(Felony)

The undersigned complainant being duly sworn states:

## COUNT I

That on or about August 15, 2008, within the Southern District of California, Defendant Mayra Alejandra ZEPEDA, knowing or in reckless disregard of the fact that certain alien(s), namely, Pedro Leonides GUZMAN-Rosas, Joel FLORES-Chamorro, Alberto DIAZ-Gomez, Fernando DIAZ-Gomez, Noel ASTORGA-Mendoza, Pedro DIAZ-Gomez, Juan Antonio MACIAS-Gallo, had come to, entered, or remained in the United States in violation of law, did transport or move or attempt to transport or move said alien(s), in furtherance of such violation of law, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii)(Felony).

And the complainant further states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

*[Signature]*  
\_\_\_\_\_  
Signature of Complainant  
Ernesto Aldrete  
Senior Patrol Agent

Sworn to before me and subscribed in my presence,

at Yuma, Arizona

Date

City and State

Jay R. Irwin, U.S. Magistrate

Name &amp; Title of Judicial Officer

Signature of Judicial Officer

1 UNITED STATES OF AMERICA

2 V.

3 Mayra Alejandra ZEPEDA  
4 095734550

5 **STATEMENT OF FACTUAL BASIS**

6 On August 15, 2008 Agents Alvarez, Guerrero, Araujo, and Agent Rios, were assigned traffic  
7 observation duties at the 1151 check point on highway 78 near Palo Verde, California.

8  
9 At approximately 10:50 pm, a green Mercury Cougar bearing license plate CA/3LET198  
10 approached the primary inspection lane. The vehicle had one visible occupant, later identified  
11 as Mayra Alejandra ZEPEDA (DOB: 07/26/1985). Agent Rios was working as the primary  
12 agent. When the vehicle approached, Agent Rios identified himself as a United States Border  
13 Patrol Agent and informed ZEPEDA that she was at an immigration checkpoint. Agent Rios  
14 asked ZEPEDA what country she was a citizen of. ZEPEDA paused and then stated that she  
15 was a United States Citizen. After stating that she was a United States Citizen her car started  
16 moving forward as if she was rushing my immigration interview and was in a hurry to get  
17 going. Agent Rios asked ZEPEDA where she was coming from and she stated that she was  
18 coming from somewhere over there called Wally. He then asked ZEPEDA where she was  
19 heading and she stated "L.A". He then asked ZEPEDA if this was her car that she was traveling  
20 in and she stated "no". When Agent Rios questioned ZEPEDA as to whose car she was driving  
21 she claimed that it was her friends but she could not tell me who her friend was or if it was  
22 registered in her name. Due to the facts listed above Agent Rios decided to send ZEPEDA to  
23 secondary inspection for further questioning.

24  
25 Once at the secondary inspection, K-9 Agent Araujo asked for consent to run his dog around the  
26 vehicle, ZEPEDA granted consent. Agent Rios asked ZEPEDA to step out of the vehicle so he  
27 could continue his immigration interview. Agent Araujo advised me that the K-9 alerted to the  
28 vehicle in the secondary inspection. Agent Araujo asked ZEPEDA for consent to search the  
29 vehicle and consent was granted. As the search of the vehicle was being conducted another

1 vehicle approached the check point at approximately 11:00pm. Agent Guerrero was the  
2 primary agent and advised that he had a vehicle with seven illegal immigrants (See attached  
3 G166 for encounter details). Given ZEPEDA's inconsistencies and behavior Agent Rios asked  
4 ZEPEDA if she knew the driver of the vehicle that was transporting the illegal immigrants and  
5 ZEPEDA stated that it was her friend. At that time ZEPEDA was taken into custody for further  
6 questioning as to her involvement with the smuggling of illegal aliens.

7  
8 A search of the ZEPEDA's vehicle yielded several connections to the vehicle that was  
9 transporting the illegal aliens. ZEPEDA had a note book that contained the phone number of  
10 RUIZ the driver that was transporting the illegal aliens. The vehicle also contained a map of the  
11 area that had their route of travel marked out as well as markings were Border Patrol  
12 Checkpoints are located. The vehicle also contained commercial size cases of juice boxes  
13 identical to the boxes of juice found in the jeep.

14  
15 A field interview with ZEPEDA revealed the following: ZEPEDA stated that she knew her  
16 friend RUIZ was an alien smuggler and had successfully passed through immigration  
17 checkpoints with illegal aliens, but ZEPEDA claims she did not know that she was  
18 transporting illegal aliens. ZEPEDA claims that she had an argument with RUIZ and left her  
19 in Brawley, California. She claims she was on her way home and did not know anything  
20 concerning the smuggling of illegal aliens. ZEPEDA was transported to the Blythe Border  
21 Patrol Station for processing as a co- principle to alien smuggling.

22  
23 Once at the Blythe Border Patrol Station ZEPEDA was informed of her rights as per service  
24 form I-214 at 2:20 am by Agent Kraus and witnessed by Agent Rios. ZEPEDA waived her  
25 rights at 2:20 am.

26  
27 An interview with ZEPEDA at the Blythe Border Patrol Station revealed the following:  
28 ZEPEDA claims to have driven her friends RUIZ and Pedro GUZMAN-Rosas (DOB:  
29 10/01/1987) from Los Angeles, California to Brawley, California. GUZMAN was the  
passenger of the red jeep that was transporting the illegal aliens. ZEPEDA claims she knew

1 that RUIZ was an alien smuggler and that she had successfully smuggled illegal aliens on  
2 several occasions. ZEPEDA claims that RUIZ told her that she needed someone to drive her to  
3 Brawley, California because her friend GUZMAN who was an illegal alien was going to return  
4 home and she was also going to pick up another vehicle and drive it to Los Angeles, California.  
5 ZEPEDA claims that RUIZ loaned her a car and told her she would reimburse her for the gas  
6 money she would spend on there trip. ZEPEDA claims that they left Los Angeles, California at  
7 approximately 12:00 am on 08/15/2008. ZEPEDA claims that RUIZ and GUZMAN left their  
8 home in Los Angeles, California on Wednesday and returned on Thursday night with no  
9 explanation of where they had gone. ZEPEDA claims that she believes that RUIZ and  
10 GUZMAN crossed the illegal aliens and were going back to pick them up, but RUIZ told her  
11 that she just needed some one to drive her car home. ZEPEDA claims that upon arriving in  
12 Brawley, California she told RUIZ that she did not want to be involved in any of her business  
13 and wanted to return home. ZEPEDA claims that RUIZ directed her to stop at a gas station and  
14 leave RUIZ and GUZMAN there. ZEPEDA claims that she was bothered that RUIZ had left  
15 her there alone and started to drive home with out RUIZ. ZEPEDA claims to have not seen  
16 RUIZ for the remainder of the night. ZEPEDA claims that RUIZ called her before arriving at  
17 the 1151 checkpoint to see if agents were inspecting cars, ZEPEDA informed RUIZ that she  
18 had not made it to the checkpoint yet. ZEPEDA claims that this was the last contact she had  
19 with RUIZ and was unaware that RUIZ was transporting illegal aliens.

20  
21 ZEPEDA is being presented for prosecution for 8 USC 1324 alien smuggling.

22  
23 VEHICLE INFO:

24 1994 Mercury Cougar XR7 CA/3LET198

25 VIN# 1MELM62W1SH603161

26 Vehicle seized  
27  
28  
29

*I, Senior Patrol Agent Ernesto Aldrete, declare under penalty of perjury, the following is true and correct:*

UNITED STATES OF AMERICA

V.

Mayra Alejandra ZEPEDA  
095734550

### **STATEMENT OF FACTUAL BASIS**

On August 15, 2008 Agents Alvarez, Guerrero, Araujo, and Agent Rios, were assigned traffic observation duties at the 1151 check point on highway 78 near Palo Verde, California.

At approximately 10:50 pm, a green Mercury Cougar bearing license plate CA/3LET198 approached the primary inspection lane. The vehicle had one visible occupant, later identified as Mayra Alejandra ZEPEDA (DOB: 07/26/1985). Agent Rios was working as the primary agent. When the vehicle approached, Agent Rios identified himself as a United States Border Patrol Agent and informed ZEPEDA that she was at an immigration checkpoint. Agent Rios asked ZEPEDA what country she was a citizen of. ZEPEDA paused and then stated that she was a United States Citizen. After stating that she was a United States Citizen her car started moving forward as if she was rushing my immigration interview and was in a hurry to get going. Agent Rios asked ZEPEDA where she was coming from and she stated that she was coming from somewhere over there called Wally. He then asked ZEPEDA where she was heading and she stated "L.A". He then asked ZEPEDA if this was her car that she was traveling in and she stated "no". When Agent Rios questioned ZEPEDA as to who's car she was driving she claimed that it was her friend's but she could not tell me who her friend was or if it was registered in her name. Due to the facts listed above Agent Rios decided to send ZEPEDA to secondary inspection for further questioning.

Once at the secondary inspection, K-9 Agent Araujo asked for consent to run his dog around the vehicle, ZEPEDA granted consent. Agent Rios asked ZEPEDA to step out of the vehicle so he could continue his immigration interview. Agent Araujo advised me that the K-9 alerted to the vehicle in the secondary inspection. Agent Araujo asked ZEPEDA for consent to search the vehicle and consent was granted. As the search of the vehicle was being conducted another vehicle approached the check point at approximately 11:00pm. Agent Guerrero was the primary agent and advised that he had a vehicle with seven illegal immigrants (See attached G166 for encounter details). Given ZEPEDA's inconsistencies and behavior Agent Rios asked ZEPEDA if she knew the driver of the vehicle that was transporting the illegal immigrants and ZEPEDA stated that it was her friend. At that time ZEPEDA was taken into custody for further questioning as to her involvement with the smuggling of illegal aliens.

A search of the ZEPEDA's vehicle yielded several connections to the vehicle that was transporting the illegal aliens. ZEPEDA had a note book that contained the phone number of RUIZ the driver that was transporting the illegal aliens. The vehicle also contained a map of the area that had their route of travel marked out as well as markings where Border Patrol Checkpoints are located. The vehicle also contained commercial size cases of juice boxes identical to the boxes of juice found in the jeep.

A field interview with ZEPEDA revealed the following: ZEPEDA stated that she knew her friend RUIZ was an alien smuggler and had successfully passed through immigration checkpoints with illegal aliens, but ZEPEDA claims she did not know that she was

transporting illegal aliens. ZEPEDA claims that she had an argument with RUIZ and left her in Brawley, California. She claims she was on her way home and did not know anything concerning the smuggling of illegal aliens. ZEPEDA was transported to the Blythe Border Patrol Station for processing as a co-principle to alien smuggling.

Once at the Blythe Border Patrol Station ZEPEDA was informed of her rights as per service form I-214 at 2:20 am by Agent Kraus and witnessed by Agent Rios. ZEPEDA waived her rights at 2:20 am.

An interview with ZEPEDA at the Blythe Border Patrol Station revealed the following: ZEPEDA claims to have driven her friends RUIZ and Pedro GUZMAN-Rosas (DOB: 10/01/1987) from Los Angeles, California to Brawley, California. GUZMAN was the passenger of the red jeep that was transporting the illegal aliens. ZEPEDA claims she knew that RUIZ was an alien smuggler and that she had successfully smuggled illegal aliens on several occasions. ZEPEDA claims that RUIZ told her that she needed someone to drive her to Brawley, California because her friend GUZMAN who was an illegal alien was going to return home and she was also going to pick up another vehicle and drive it to Los Angeles, California. ZEPEDA claims that RUIZ loaned her a car and told her she would reimburse her for the gas money she would spend on there trip. ZEPEDA claims that they left Los Angeles, California at approximately 12:00 am on 08/15/2008. ZEPEDA claims that RUIZ and GUZMAN left their home in Los Angeles, California on Wednesday and returned on Thursday night with no explanation of where they had gone. ZEPEDA claims that she believes that RUIZ and GUZMAN crossed the illegal aliens and were going back to pick them up, but RUIZ told her that she just needed some one to drive her car home. ZEPEDA claims that upon arriving in Brawley, California she told RUIZ that she did not want to be involved in any of her business and wanted to return home. ZEPEDA claims that RUIZ directed her to stop at a gas station and leave RUIZ and GUZMAN there. ZEPEDA claims that she was bothered that RUIZ had left her there alone and started to drive home with out RUIZ. ZEPEDA claims to have not seen RUIZ for the remainder of the night. ZEPEDA claims that RUIZ called her before arriving at the 1151 checkpoint to see if agents were inspecting cars, ZEPEDA informed RUIZ that she had not made it to the checkpoint yet. ZEPEDA claims that this was the last contact she had with RUIZ and was unaware that RUIZ was transporting illegal aliens.

ZEPEDA is being presented for prosecution for 8 USC 1324 alien smuggling.

#### VEHICLE INFO:

1994 Mercury Cougar XR7 CA/3LET198

VIN# 1MELM62W1SH603161

Vehicle seized

Executed on: August 17, 2008

Time: 11:07 a.m.

Signed: \_\_\_\_\_

Senior Patrol Agent

#### Finding of Probable Cause

On the basis of the facts presented in the foregoing Probable Cause Statement, consisting of two page(s), I find probable cause to believe that the defendant named therein committed the offense on August 15, 2008 in violation of Title 8, United States Code, Section 1324.

Finding made on: Date \_\_\_\_\_

Time \_\_\_\_\_

Signed: \_\_\_\_\_

United States Magistrate Judge